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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. C-1-00-869

MARK R. HOOP and  
LISA J. HOOP

PLAINTIFFS/  
COUNTERCLAIM DEFENDANTS

**V. RESPONSE TO PLAINTIFFS' RENEWED MOTIONS IN LIMINE RELATIVE TO THE  
PRELIMINARY INJUNCTION AND THE REEXAMINATION PROCEEDING**

JEFFREY W. HOOP, STEPHEN E. HOOP, and  
HOOPSTERS ACCESSORIES, INC.

DEFENDANTS/  
COUNTERCLAIM PLAINTIFFS

\* \* \* \* \*

Defendants/Counterclaim Plaintiffs, Jeffery W. Hoop, Stephen E. Hoop, and Hoopsters Accessories, Inc. ("Defendants"), by counsel, respond to the Renewed Motions In Limine Relative to the Preliminary Injunction and the Reexamination Proceedings of Plaintiffs/Counterclaim Defendants, Mark R. Hoop and Lisa Hoop ("Plaintiffs"), as follows:

Defendants desire to present all of the facts to the jury. They believe that an advance ruling by the Court prohibiting the defense from offering any comments, evidence, and/or testimony regarding the reexamination proceeding and the preliminary injunction will:

1. limit their ability to fully enlighten the jury about the fact that Plaintiffs have continuously and relentlessly pursued their goal - theft of Defendants' patent - at every level: the patent and trademark office; the United States District Court; and the United States Court of Appeals; and
2. be prejudicial to them, as it would limit their ability to prove the willful nature of Plaintiffs' conduct and the full extent of their damages to the jury.

**WHEREFORE**, Defendants, by counsel, respectfully request the Court to enter an Order denying\overruling the Motions In Limine Relative to the Preliminary Injunction and the Reexamination Proceedings.

STELLA B. HOUSE,  
ATTORNEY-AT-LAW, P.S.C.

By: Stella B. House, go.

Stella B. House, J.D.

Post Office Box 422

Manchester, Kentucky 40962

Telephone: (606) 598-1485

Telecopier: (606) 598-7496

Kentucky Bar No. 81805

**ATTORNEY FOR DEFENDANTS/  
COUNTERCLAIM PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I certify that an accurate copy of the **RESPONSE TO MOTIONS IN LIMINE RELATIVE TO THE REEXAMINATION PROCEEDING AND THE PRELIMINARY INJUNCTION** was mailed to Alfred J. Mangels, J.D., Co-Counsel for Plaintiffs/Counterclaim Defendants, 4729 Cornell Road, Cincinnati, Ohio 45241; and Timothy A. Magee, J.D., Co-Counsel for Plaintiffs/Counterclaim Defendants, 130 Sherman Drive, Findlay, Ohio 45840, by United States mail, postage prepaid, on January 26, 2004.

STELLA B. HOUSE,  
ATTORNEY-AT-LAW, P.S.C.

By: Stella B. House, go

Stella B. House, J.D.

cc: